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**FACSIMILE TRANSMISSION****CONFIDENTIAL**

DATE: September 16, 2005

CLIENT-MATTER NUMBER: 22930-06082

**To:**

NAME:	FAX NO.:	PHONE NO.:
Examiner Robert Pond Group Art Unit 3625 Commissioner for Patents	571-273-8300	571-272-6760

FROM: Colleen Chien

PHONE: (415) 875-2319

RE: Supplemental IDS

NUMBER OF PAGES WITH COVER PAGE: 7

**MESSAGE:****Information Disclosure Statement**

Applicants: Richard V. Halbert *et al.*  
App. No.: 09/677,095  
Filing Date: September 29, 2000  
Title: DYNAMIC MARKET EQUILIBRIUM MANGEMENT SYSTEM  
Atty. Dkt. No. 22930-06082

**CAUTION - CONFIDENTIAL**

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Applicants:	Richard V. Halbert <i>et al.</i>	
App. No.:	09/677,095	
Filing Date:	September 29, 2000	
Title:	DYNAMIC MARKET EQUILIBRIUM MANGEMENT SYSTEM	
Atty. Dkt. No. 22930-06082		

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22930/06082/SF/5151311.1





## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: RICHARD HALBERT, ET AL.  
APPLICATION NO.: 09/677,095  
FILING DATE: September 29, 2000  
TITLE: Dynamic Market Equilibrium Management System, Process And  
Article Of Manufacture  
EXAMINER: Robert Pond  
GROUP ART UNIT: 3625  
ATTY. DKT. NO.: 22930-06082

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## CERTIFICATE OF MAILING

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Dated: September 16, 2005

By:



Colleen V. Chien, Reg. No.: 55,062

MAIL STOP AMENDMENT  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT  
Under 37 CFR §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO/SB/08A listing references for consideration by the Examiner.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

- ☐ within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;

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01 FC:1806  
180.00 DA

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- ☐ before the mailing of a first official action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114;
- ☒ after three months of the filing date of this national application or the date of entry of the national stage in an international application, or after the mailing date of the first official action on the merits, whichever event last occurred, but before the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and:
- ☒ attached hereto is the fee set forth under 37 CFR § 1.17(p) for submission of this Information Disclosure Statement under 37 CFR § 1.97(c); OR
- ☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that:
- ☐ each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
- ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement;
- ☐ on or before the payment of the issue fee but after the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; (2) a notice of allowance under 37 CFR § 1.311; or (3) an action that otherwise closes prosecution in the application, and:
- ☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that:
- ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement;
- ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and,

## PATENT

to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; AND


- ☐ attached hereto is the fee set forth under 37 CFR §1.17(p) for submission of this Information Disclosure Statement under 37 CFR § 1.97(d); OR
- ☐ after the payment of the issue fee. Applicant requests that the information contained in this Information Disclosure Statement be placed in the file according to 37 CFR § 1.97(i), although the information may not be considered by the USPTO.
- ☐ Enclosed is a copy of each listed reference that may be material to the examination of this application, and for which there may be a duty to disclose.
- ☐ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application No. \_\_\_\_\_, filed on \_\_\_\_\_, and the references cited therein are hereby referenced, but are not required to be provided in this application under 37 CFR § 1.98(d).
- ☐ This application was filed after June 30, 2003. Therefore, pursuant to the waiver of the requirements under 37 CFR 1.98(a)(2)(i), copies of each U.S. Patent and each U.S. Patent Application Publication are not required to be submitted. Copies of any foreign patent documents and non-patent literature cited herein are enclosed.
- ☐ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 CFR § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. 37 CFR § 1.704(d).
- ☐ Applicant submits that no fee is required for the consideration of this Information Disclosure Statement.

Consideration of the listed references and favorable action are solicited.

PATENT

Respectfully submitted,  
RICHARD HALBERT, ET. AL.

Dated: September 16, 2005

By:   
Colleen V. Chien, Reg. No.: 55,062  
Fenwick & West LLP  
Embarcadero Center West  
275 Battery Street  
San Francisco, CA 94111  
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PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449A/PTO

# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

**Complete if Known**

Application No.	09/677,095
Filing Date	September 29, 2000
First Named Inventor	Richard V. Halbert, et al.
An Unit	3625
Examiner Name	Robert Pond
Attorney Docket Number	22930-06082

Sheet	1	of	1
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## **U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document No. Number - Kind Code <sup>2</sup> (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		US-096049774	04-2000	Roy
		US-5,377,095	12-1994	Maeda et al.
		US-5,873,069	02-1999	Reuhl et al.
		US-5,999,914	12-1999	Blinn et al.
		US-6,085,169	07-2000	Walker et al.
		US-6,101,484	08-2000	Halbert et al.
		US-6,141,653	10-2000	Conklin et al.
		US-6,141,686	10-2000	Tobin
		US-6,260,024	07-2001	Shkedy, Gary
		US-6,324,522 B2	11-2001	Peterson, et al.
		US-6,418,415	07-2002	Walker et al.
		US-6,473,740	10-2002	Cockrill et al.
		US-6,516,302	02-2003	Deaton et al.
		US-6,631,356	10-2003	Van Horn et al.

## **FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> - Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T <sup>6</sup>

## **OTHER REFERENCES - NON-PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>6</sup>

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.  
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<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE RECEIVED  
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APPLICANT: RICHARD, HALBERT, ET AL.

SEP 16 2005

APPLICATION NO.: 09/677,095

FILING DATE: September 29, 2000

TITLE: Dynamic Market Equilibrium Management System, Process And  
Article Of Manufacture

EXAMINER: Robert Pond

GROUP ART UNIT: 3625

ATTY. DKT. NO.: 22930-06082

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PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0551-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				<b>Complete if Known</b>	
				Application No.	09/677,095
				Filing Date	September 29, 2000
				First Named Inventor	Richard V. Halbert, et al.
				Art Unit	3625
				Examiner Name	Robert Pond
Sheet	1	of	1	Attorney Docket Number	22930-06082

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OTHER REFERENCES – NON-PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>6</sup>	

Examiner Signature		Date Considered	
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<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 801.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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